

REMARKS/ARGUMENTS

Favorable consideration of this application is respectfully requested.

Claims 1-12 are presented for examination. Claims 1-12 have been amended to better conform to accepted U.S. claim practice and to better clarify the invention while removing the multiple dependencies objected to in the outstanding Action. Support for these amendments is believed to be clear from the originally presented claims and specification so that no new matter has been introduced.

The outstanding Official Action presented an objection to the lack of headings in the specification, an objection to claims 5-10 under 37 CFR § 1.75(c), and a rejection of Claims 1-4, 11, and 12 under 35 U.S.C. §102(e) as being anticipated by Johansson et al. (U.S. Patent Application Publication No. 2002/0044549, hereinafter “Johansson”).

Applicant notes that the amendments to the specification to add the suggested headings that are relevant to the present Application is believed to overcome the objection to the lack of headings in the outstanding Official Action. Accordingly, withdrawal of this objection is respectfully requested.

Moreover, the amendments made as to removing the previously recited multiple dependency from Claims 5-10 is believed to overcome the objection under 37 CFR § 1.75(c) as to these previously multiply dependent claims being dependent on multiple dependent Claim 3. Accordingly, withdrawal of this objection and the treatment of Claims 5-10 on the merits is respectfully requested.

Applicant acknowledges with gratitude the interview held on March 20, 2007, to discuss the above-noted outstanding 35 U.S.C. §102(e) rejection based upon Johansson and the presently amended claims. As noted during this interview, the subject matter being claimed is directed to providing channel allocation in an ad-hoc radio communication network using Code Division Multiple Access (CDMA) as the multiple access scheme. The

ad-hoc radio communication network is formed as a system including devices gathered together to form piconets. One of the devices in each of the formed piconets is designated as a piconet coordinator (PNC). The set of available CDMA codes is split into pre-defined disjoined subsets of CDMA codes (C_i) known by each device. Each new device added to the system scans the new device radio environment looking for any subset of CDMA codes (C_i) that are presently being used by an associated existing piconet. If the scanning determines that no subset of CDMA codes (C_i) are presently being used by an existing piconet, the new device is designated as a piconet coordinator (PNC) of a new piconet and a subset of the CDMA codes (C_i) is selected for use in the new piconet. On the other hand, if the scanning reveals a set of one or more existing piconets are using corresponding subsets of CDMA codes (C_i), the availability of any of the one or more existing piconets as to adding the new device thereto is determined and the new device is added to an available one of the one or more existing piconets.

Turning to Johansson, and as noted during the discussion on March 20, 2007, it is clear that Johansson is concerned with a piconet system using “Bluetooth” units that use standard “Bluetooth” time division multiplexing and the standard “slave” to “master” relationship in which the slaves cannot directly communicate, all communication being through the “master.” See paragraph [0006] of Johansson and note the description of “Bluetooth” as using “time division multiplexing” at col. 4, lines 48-50 of U.S. Patent No. 7,164,886 (Mowery, et al.), for example. Clearly the Johansson teachings of a piconet system using “Bluetooth” units that use standard “Bluetooth” time division multiplexing and the standard “slave” to “master” relationship in which the “slave” units cannot directly communicate demonstrates that there can be no anticipation based upon Johansson as all of the independent claims require the devices of a same piconet must be able to communicate with one another directly and that any such communication between the devices must be

based on Code Division Multiple Access (CDMA), not time division multiplexing. Thus, not only does Johansson not teach all the limitations of the present subject matter claimed, Johansson actually teaches away from that subject matter.

Accordingly the rejection of independent Claims 1, 11, and 12 under 35 U.S.C. §102(e) as being anticipated by Johansson is traversed and it is respectfully requested that this rejection be withdrawn.

As dependent Claims 2-4 all depend from Claim 1 either directly or indirectly, Claims 2-4 all include the subject matter of Claim 1 argued above. Accordingly, the rejection of dependent Claims 2-4 under 35 U.S.C. §102(e) as being anticipated by Johansson is traversed for the reasons noted above. In addition, each of Claims 2-4 adds further subject matter that is also not taught or suggested by Johansson and this rejection of Claims 2-4 is traversed for this reason as well. It is therefore respectfully requested that this rejection of dependent Claims 2-4 should also be withdrawn.

As Claims 5-10 all now should be examined on the merits, it is noted that these claims are like claims 2-4 in that they all depend from Claim 1 either directly or indirectly and all include the subject matter of Claim 1 argued above. Accordingly, no rejection of dependent Claims 5-10 over Johansson is possible as this reference does not teach or suggest all the limitations required by these dependent claims.

Accordingly, it is respectfully submitted that no further issues remain outstanding in the present application, and that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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